

Irish vol 10

A
L E T T E R
TO THE
Earl of Shelburne, &c. &c. &c.
FROM A
N O B L E E A R L
OF THE
KINGDOM OF IRELAND,
UPON THE
SUBJECT OF FINAL EXPLANATION
RESPECTING THE
LEGISLATIVE RIGHTS
OF IRELAND.

S E C O N D E D I T I O N .

TO WHICH IS ANNEXED
AN EXTRACT FROM THE PROCEEDINGS
OF THE
IRISH HOUSE OF LORDS
UPON THE SUBJECT OF THE
REPEAL OF THE 6th GEO. I.

L O N D O N :

Printed for G. ROBINSON, Pater-noster-row,
and J. ROBSON, New Bond-street. 1783.

27 Jan. 1783



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TO THE
EARL of SHELBURNE, &c.

IN addressing your Lordship I mean to be understood to address as well the Administration of Ireland as that of Great Britain. I do it with the greater confidence, that as the clearness, the fulness and decision of your conduct are a shield to you against every possible doubt on the part of Ireland, they are a security to me against every possible misconception upon your part. If the line of silent unanimity judiciously recommended from the Treasury Bench, on Wednesday last, had been followed, I should not now trouble your Lordship, fully conscious that things could not be better than well. But when attempts have been made to treat the solemn voice of the nation as the outcry of private

views or partial discontent; when it has been seriously advanced, that to satisfy the constitutional requisition of the people of Ireland is to insult the constitutional parliament of Ireland; when every principle of argument has been tortured to pervert a measure as dignified as it is just, as respectful as it is respectable; in a word, to disprove the necessity of the measure, in order to arraign the patrons of it; it then becomes the duty of every man, but most of all of me, from the early warning I gave to Ireland, of the necessity of further explanation, to bear testimony to it; a testimony which Ireland has already confirmed by a majority in effect more than tantamount to unanimity. I trust I need not apprize your Lordship, I do not stand forth to justify you and your colleagues in office. Did the circumstance require it, you could not be at a loss for more able advocates. My sole object is to shew that the requisition of further explanation is the requisition not of faction, but of wisdom; that it is the *vox populi* of Ireland, that is to say,

say, the verdict of solid sense, sound principle, and unbiaſſed judgment; but when truth and reaſon on the one part meet with juſtice on the other, the defence of the one is the juſtification of both. Did any man heretofore imagine he entertained a doubt of the inſufficiency of the repeal of the 6th of Geo. 1ſt, as a renunciation *in toto* of the claim and exerciſe of legiſlation, the queſtion put on Wednesday laſt to Mr. Secretary Townſhend, by a gentleman high in eſtabliſhed profeſſional character *, no longer leaves it in the power of ſuch a man to deceive himſelf or to attempt to delude other men. The learned gentleman deſired to be informed by the Treafury Bench, *whether or no it is the intention of adminiſtration to give up the ſuperintending power of the Britiſh Parliament, to make laws binding upon Ireland at all times, and in every poſſible or ſuppoſable caſe that can ariſe?* A queſtion which contains a code of illuſtration. It ſpeaks conviction to every man who is not loſt to candor. A queſtion, which I do confeſs, *prima facie*, filled my mind

* Mr. M'Donald.

with

with disgust, but which has upon reflection impressed me with veneration for the author of it; a veneration not to be surpassed or equalled, save only by that which the reply excited in my breast. Mr. Secretary Townshend's answer was, *Our meaning is for ever to establish the exclusive competency of the Irish Parliament over Ireland in matters of legislation, at all times, and in every possible and supposable case that can arise**.

However accustomed I may be to the voice of bold assertion, the charge of precipitation in this great systematic proceeding did, I confess, astonish me: the retort would indeed have been in point.

To recal at a moment's warning, and at a delicate period, yet under no pressure of circumstance, the chief governor of a great and important country, who by the well-poised exercise of moderation and authority had already established private and public respect, was, as I conceive, an act of pre-

* Such was the question put by Mr. M'Donald, and such the answer made by Mr. Secretary Townshend, touching legislation, so far as my understanding did enable me to collect them.

cipitation. To replace him by a successor who, from the nature of things, must be totally unacquainted with, and unknown to that country, was, as I conceive, another act of precipitation.

To anticipate enquiry, by anticipating even the arrival of that noble Duke was, I conceive, a third act of precipitation.

To throw government and the kingdom without reserve into the arms of a single individual, however popular in his person or captivating in his talents, thus narrowing the great national basis to the faculties of one man, exposing, I may say, the Empire to all the consequences of possible indiscretion, confidence, want of legal knowledge, political ability, or constancy of mind. To submit to the peremptory mandate of a short day from that individual whose omnipotence, they well knew, hung upon their own nod, thus precluding the voice of the nation at large; that wisdom which is ever the result of deliberation, that truth which derives from opposed opinions; these it must be acknowledged were acts of precipitation.

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To call upon the Parliament of Ireland on the 17th of April to state at the instant all her grievances ; to tell the Commons of Ireland upon the 27th of May, that they must decide upon the moment ; that they were already at the ratification of the treaty ; when the King's Ministers, the British Parliament, and the King's representative had but two hours before told both Lords and Commons from the Throne, they were only at the preliminaries of the treaty ; thus transferring the *ultimatum* Ireland had given in with respect to the measure of her grievances, to the measure of security to which she had not tied herself down ; vainly endeavouring, by arbitrary construction, on the 28th of May, to defeat the great end and spirit of the propositions of the 17th of April. — To affect to wind up upon the faith of nations a great constitutional arrangement between two sister kingdoms, constituting one and the same Empire ; to wind it up upon the faith of nations, in other words, upon the faith of arms, leaving the line of construction vague, the lines
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of claim and disavowal equivocal, the measure of security unascertained. Thus adding the stimulus of personal *qui vive* to the national susceptibility of British pride and Irish jealousy!—Ireland, thus surprised, baffled, and deserted, cried out in a maze of distraction, doubt and horror; if this be not consummate precipitation, it is consummate deep design.

I will pass over the rash and weak measure of raising five fencible regiments as insulting in its avowed object, as disproportioned to its occult purposes; unless indeed its essential purpose was thereby to establish at once a precedent and chain of collusion, under the shadow of which, the efficient Minister might exercise the authority of the executive to the exclusion of the superintending controul of the Parliament of Ireland over the encrease of the military establishment for Ireland, to the exclusion of the superintending controul of the Parliament of Great Britain over the encrease of the mi-

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litary establishment throughout the rest
Empire.

Were I to extend my views to the arbitrary use which was made of the executive upon other subjects, I could establish the charge of precipitation upon proof of reversal *. But I shall be told we are not to judge of the man by his measures, but of the measures by the man. I will subscribe to the doctrine; for to be just, I do not consider the noble Duke the author of those things which were practised under colour of his authority. My only complaint affecting that noble Duke is, that having taken on the sacred trust of representative of his Sovereign, he did not for ever keep before his eyes that sacred maxim in law: "*That a delegated power may not suffer delegation.*" The doubts of Ireland did not then (as is pretended) arise from change of Ministers, but from

* The transaction respecting the Post-Office of Ireland is a matter of such notoriety, that it is as unnecessary as it would be indelicate to dwell upon this point.

change.

change of men, of principles, and of conduct. Her doubts are founded on their abdication of themselves, not of their office, upon their departure from their own professions.—I will not deceive your Lordship; Ireland is too able a Minister to trouble herself who are or who are not the Ministers. The hon. gentleman now knows it full well. And therein consists the sum of her offending.

The next assertion is, that the repeal of the 6th of Geo. 1st was accepted by the unanimous voice of the Irish Parliament as a full completion of the propositions of the 17th of April, and in full satisfaction of all their wishes, in support of which assertion a partial paragraph was partially stated out of the address of the Irish House of Commons. But the hon. Gentleman who made the assertion e'er he can establish it must first succeed in reforming the British constitution by virtually abolishing one of the bodies of the legislature. Had he condescended as a matter of form when in office to cast

his eyes upon the address of the Irish House of Lords, he would have found a living record in direct contradiction to his assertion in point of fact, that House having at my humble instigation adopted an amendment expressly and avowedly calculated to keep the subject open to that final explanation, which is now about to take place. It is worthy attention, that the amendment to which I allude is to be found in the correlative sentence in the Address of the Lords, to that which the hon. gentleman quoted from the Address of the Commons.

Another assertion is, that the requisition of further explanation must be a trick. It cannot be at this day the voice of Ireland, because it originated with a few, at that day unavowed by the people, disavowed by government, in construction of influence men of obscure low estate. I could adduce a precedent in point, but the hon. gentleman who made the assertion might perhaps call the precedent itself a trick likewise; I shall therefore endeavour

deavour to answer assertion by argument, and shall make bold to say, that with respect to the origin or adoption of the requisition in the House of Commons, combining quality with numbers, its origin was highly respectable. From whom did it proceed in the Commons? from Mr. Flood;—from Mr. Walsh; a gentleman of approved legal as well as parliamentary knowledge;—from the Recorder of the City of Dublin; to whom, I may add Mr. Montgomery, member for the county of Donegal, a man of as substantive an understanding and investigating mind as exists. I will humbly ask with whom did it originate in the Lords? Why! by adoption with the whole House. Such is the origin of this national requisition, the legitimacy of which stands thus impeached.

The hon. gentleman might fairly have deduced from the circumstantial situation of those with whom this requisition had its rise, a conclusion strongly in favor of it. He might have reasoned thus. With whom did it originate? In the Lords,
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with Lord Bellamont, a man who labored under popular misconception. In the Commons with Mr. Flood, who had to combat popular misrepresentation ; with Mr. Walsh, whose abilities on the hour point him out as an object of just jealousy to every rising man at the bar, to every professional man in Parliament ; with Mr. Recorder, who *ex officio* could not steer clear of opponents upon the spot ; with Mr. Montgomery, who as a representative of one of the most independent and tenacious counties in the kingdom, is for ever in the line of fire, not only from the views of those who oppose him, but also from the expectations of those who support him. The honourable gentleman might from hence have fairly asserted, that if this now great national requisition had not carried with it the indefeasible impression of truth, it must have fallen a victim to the machinations of personal attack, though it had escaped the anathema of the *Ipse dixit* of the day. Such is the conclusion the people of Ireland might have expected from professions

essions which have been made. But I forget; there are men who hold professions in contempt. To abet every claim, and to undermine every security with consistency and principle, is the peculiar attribute of a chosen few. Once more I shall be told, we are not to judge of the man by his measures, but of the measures by the man. — Once more I do subscribe to the doctrine.

Having thus, my Lord, endeavoured to satisfy the powerful objections which have been urged against the bill, I shall take leave to submit what I conceive to be necessary in order to carry the great object of it into effect. I feel myself authorised in so doing, by the difficulties which have been already thrown in the way of the measure*; to which I may add, the opinions of the publick in general, so far as I have been able to collect them without

* I have passed over an expedient which was proposed to satisfy by an explanatory resolution of one or both Houses of Parliament those doubts, which the repeal of an act. of Parliament had not been able to remove.

doors, as to the terms which they conceive will be competent to satisfy all doubts. The avowed object of Administration is, to give entire and permanent satisfaction to Ireland. We are bound to believe you are as sincere with regard to the permanency, as to the extent of the satisfaction you mean to give. Were we disposed to withhold the tribute due to justice, we should in so doing per force acknowledge that which is due to wisdom; since to give satisfaction without establishing permanency, would be a vain attempt.

I am fully aware how difficult the task, how nice the proceeding, even at this happy juncture of mutual good understanding and confidence; to conciliate British pride with Irish feelings; to relinquish every future claim without criminating the former exercise of the power: in a word, so to qualify concession, as to preserve the dignity of one country without narrowing the security of the other. Your Lordship sees more clearly than I can point out, the just medium consists so to model the bill,
that

that in enacting what shall be for ever the situation of Great Britain with regard to Ireland, no pointed implication be contained in the act, that it has ever been otherwise.

The doubts which it is intended to remove are now matter of notoriety. I need not state them.

The remedy which I have heard suggested by many, as being competent to satisfy those doubts respecting legislation, to which I confine myself is, that it be enacted that Great Britain will not, from and after the passing of the act, &c. “ exercise legislation over Ireland.” Should any attempt be made to narrow the tenor of the bill to those terms, I am bound to apprise your Lordship, it will not reach the end proposed. In order to give them every possible advantage, I will endeavour to state the subject to your Lordship, in the manner in which I conceive the advocates for those terms would state it to me. — They would say; the complaints of Ireland with regard to legislation are twofold;

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the claim, and the exercise. With respect to the claim, it is already given up by the repeal of the 6th of Geo. the 1st, which alone in letter claimed it. With regard to the exercise, the bill in agitation puts an end to it for ever. My answer is, I do admit the premises, but I deny the conclusion. With respect to the repeal of the 6th of Geo. the 1st, so long as the faculty of the exercise survived, the claim could not in any construction of law be said to be given up. With regard to the terms suggested, these very terms by which they contend to give up the exercise, keep alive the claim. The fact is, neither can be given up separately. To validate the dereliction of either, Great Britain must by one and the same act conjointly relinquish, or conjointly tie herself up for ever as to both. It will be objected by those who wish to defeat the intention of the bill, that though the bill be conceived in the terms suggested by them, Great Britain, in order to act consistently even in breach of faith, must repeal the act ere she could attempt

attempt to revive the exercise. That the same unprincipled set of men who would attempt to repeal an act conceived in those terms, would not scruple to repeal an act conceived in any terms. That no act can pass, which the same power that made it cannot repeal; with all the train of wretched abstract argument ever employed to cover an insidious proceeding, or to countenance a weak one.—To such men I shall reply; that as mankind are more weak than wicked; even among the depraved and desperate, they are more crafty than daring.

Do you, my Lord, intrench Ireland against misconstruction, she shall take chance for open violation; a maxim which applies to every condition civil or political, but more especially to the relative situation and relative constitution of Great Britain and Ireland, from various reasons, which I doubt not it will ever be unnecessary to set forth, but of which the statesman may not lose sight, in the act of forming that final explanation which is to do them away for ever.

It still remains to shew your Lordship, that the reason assigned, and the argument adduced, in support of modelling the bill as I have stated to have heard suggested, are equally inapplicable. The reason assigned is, that such are the words of the bill, by which it was intended to have secured legislative independence to America; the argument, that it is dangerous to adopt novel words or forms in matters of law. With regard to the one, I leave to your Lordship's own judgment and feelings to make the comment. With respect to the other; my answer is, the proceeding is in itself original, the precedent quoted never took place; and if it had, disparity of circumstances would forbid it to apply. But my objection is not an objection merely of form, of national delicacy or constitutional etiquette: it is, as I trust I have already shewn, an objection of constitutional substance; inasmuch that were I a native of a remote British province authentically treating with Great Britain for legislative independence to that province, that is to say,

say, a man claiming British liberty upon the basis of common law alone, I would not set my name to such security. Can it then be supposed that the kingdom of Ireland, whose legislature as her constitution itself is a faithful transcript of that of Great Britain, the origin of the former coeval with, if not antecedent to the ratification of the latter, the one and the other at this day holding under one and the same Great Charter; can it, I say, be supposed that the kingdom of Ireland, thus founded in her claim by her Charter, would accept the dereliction of the exercise upon terms which would impliedly cancel that charter, by impliedly admitting the claim? Should the bill be conceived in such terms, it would not be an acknowledgment of the political testament of Henry II. and his successors down to the ever honoured Edward III. It would be a personal obligation only in favour of Ireland, that the British Parliament will not henceforward attempt to set aside the intention of the testator; not a real participation in that inheritance;

inheritance ; to which Great Britain, rising superior to herself, no longer considers herself sole heiress at law.

It has been asked, “ Where will the demands of Ireland stop, a reference by Writ of Error was not included in her claims of renunciation?—I do admit it—The honourable gentleman “ has his doubts whether even now it be so much complained of THERE as HERE ! ”—I do not controvert it.—But is this the time for Him to make the observation?—If he be founded in his assertion, and I do not say he is not ; He should address himself to Those whom he enabled to outstrip the sense of the nation.—The subject no longer stands upon the ground on which it then stood. A reference by Writ of Error was then at once the law and constitution of Ireland.—It now no longer is her law.

It has been said, This business must have an end some time or other. Ireland says so too—emphatically says it. For I call upon any man to point out to me, if he can, one single article at this day demanded by Ireland,

land, in addition to those contained in the parliamentary propositions of the 17th of April, distinctively called the *ultimatum* of Ireland, and in the subsequent proceedings of her Parliament.—Deprived by the event of that constitutional medium, her entire efforts are confined and directed to the completion of that *ultimatum* and of those subsequent proceedings.

The Volunteers of Ireland!—for I may now indulge that genuine enthusiasm which no man ever felt with more national pride; though my task forbade me 'till this moment to give it vent; having left to other men the more pleasing office of calling forth the high spirit of my country; whilst I reserved to myself the ungrateful duty, of regulating and directing their patriotic ardor to its great ultimate object. What is at this day the language of those respectable bodies of men? I say respectable from their numbers; respectable from the men of whom they are composed; respectable from their persevering spirit and discipline;
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yet infinitely more respectable from their principles and conduct. Again I ask what is the language of the Volunteers of Ireland at this day? Confident in the rights of Ireland, confident in her faculty of maintaining those rights, though more than deaf to the established policy of Europe; confident above all in the recognized justice of those rights; ratified by his sacred Majesty from the Throne, echoed by the Lords and Commons of Great Britain. In these lofty circumstances, placed upon the flattering but critical pinnacle of the faith of nations; in other words, of the faith of arms. What is the language of those descendants of Britain, of those sons of Ireland, to whom arms are a second nature?—It is thus they address Great Britain:—‘Connected with you by blood, attached to you by affection, rivitted to you by analogy of constitution and annexation to the Crown—as you possessing every benefit of the all-glorious Revolution, with you enjoying every blessing derived under the ever-memorable and illustrious

lustrious Hanover Succession ; we will not rest our mutual adherence upon the thorny tenure of the faith of Nations. We call upon you to cement us by a nearer bond of union, by ties more consonant to our feelings towards you ; that blending our hands with your hands, our hearts with your hearts, our swords with your swords, we may for ever silence every attempt of unprincipled men, whether at this or from that side of the water, to disturb us by faction at home ; we may for ever silence every hope in every foreign power, to disunite us by seduction from abroad.—Do the honor and interests of the British Empire call upon you to continue the war ? Let the Known world unequivocally know we are armed only in order to second your arms. Do the voice of humanity and proffered terms of adequate dignity dispose you to listen to peace ? Let every belligerent and every neutral power recollect, the Energy of Ireland is indissolubly added to the Authority of the British State.’——Such is the Requisition of the Volunteers of Ireland

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to Great Britain, and such the situation in which they prefer that request. It has nevertheless been said; Ministers must come to a resolution of making a stand somewhere. You, my Lord, say so too, but in terms how different from those in which it has been said? Not in terms which by predicting future discontent, sow the baneful seed of discord in the prolific soil of doubt; but in terms which for ever eradicating the cause for ever prevent the re-production of the effect! Let no man then presume to insinuate that Ireland, or the Volunteers of Ireland with the humiliation of Great Britain; or that you, my Lord, and your colleagues would gratify them, if they did wish it. Jealous of her own honor, Ireland is equally jealous of British honor, which is now become her's, and ample justice is ever the characteristic of magnanimity, not the expression of compulsion. The justice of the measure already sanctified, every principle authorises, nay calls upon you to enrol that sanction, in terms most proof against human frailty, and

and the delapidations of time. Were Great Britain actuated by policy, not justice, that principle would dictate with equal force ; for if it be a measure of wisdom to purchase the satisfaction of Ireland and permanent union at that price, would it not be the extreme of folly to stop short of those terms which can alone ensure them for ever ?

In fine, my Lord, it is contended the claim is already relinquished. It is admitted the exercise is now to be given up. On you, my Lord, it rests, under the equal hand of our all-guardian Sovereign, so to combine the one with the other, that security shall arise from doubt, and harmony from discord, an ever-living monument to truth, reason, wisdom, and honor.

27th January, 1783.

and the distribution of time. It is a
book which is not only a
scientific work of the highest
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P R O C E E D I N G S O F T H E
H O U S E o f L O R D S i n I R E L A N D .

Wednesday, April 17, 1782.

THE Order of the day being called and read, for taking his Majesty's Message into consideration, for the House to consider the grievances of the nation, and the amendment which accordingly took place, having been proposed,

As soon as the Lord Chancellor, who followed the Lords Farnham, Mornington, &c. had sat down,

The Earl of Bellamont rose up and spoke as follows: He said, however bright the talents, however elevated the imagination, however strong the expressions with which

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noble Lords had supported the amendment, they had not rose equal to his expectations. He did expect this all-inclusive subject would have been ushered in with the eloquence of silence, would have been carried through with the energy of unanimity, he did at least expect, that if perchance any noble Lord should indulge his feelings, he would have done it in effusions of heartfelt satisfaction, not in murmurings of invidious crimination. He said he had this night heard the late administration of this kingdom traduced, the House of Commons in its majority traduced, the House of Lords almost to a man traduced, nay more, the people and kingdom of Ireland not only traduced but annihilated, for that great work in which every man and body of men throughout the kingdom had in their respective departments, their respective share, he had heard treated as the act of one man alone. He said that the miscellaneous turn which the debate had taken this day, a day of all others, which should have precluded every tendency to it,

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left him at a loss where to begin his reply ; he would therefore endeavour to follow noble Lords in the order in which they had proceeded, and trusted he would stand pardoned if he did advert to the commencement of the present session. To begin then with the Earl of Carlisle, he did premise, that of the many favours that had been graciously conferred upon him, he did not stand indebted to that noble Lord or his administration for the smallest particle of them, neither was he a postulant or expectant for any whatever, that he held them from his Royal Master, though he should ever feel the honour with which the British Minister seconded and carried into execution his Majesty's gracious purposes ; he mentioned this only to shew, that whatever may be his opinion with respect to Lord Carlisle, it is not founded in obligation.

He said, that when he returned to this kingdom in August last, that noble Lord and he were perfect strangers, politically speaking perfect strangers, he said that b

nature flow of faith, he was not dazzled by the eclat of attributes with which that noble Lord had come environed, though he since had proof that he possessed every essential quality which had been attributed to him, he further acknowledged that the first political act of his Lordship's administration did not prepossess him in favour of his political abilities, he meant the terms in which the proffered services of the Volunteers of Ireland had been accepted when invasion threatened ; he did think that such services merited to be acknowledged in the terms in which they had been offered, that they qualified informality itself ; he said, mark me well, my Lords, I do repeat it, for I mean not to retract from any principle I have ever advanced upon the subject in this House ; I do say, that such gallant services tendered at such a crisis, with so much loyalty and zeal, qualified constitutional informality itself ; he said he did therefore consider the caution of government upon this subject a fine-spun policy, that is to say, bad policy, and when he
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saw a Right Honourable Gentleman in the Lower House, after having with the concurrence of government, moved an Address of Thanks to the King, rise up in his place and move a Vote of Thanks to the Volunteers of Ireland, in terms different from those in which Government itself had thanked them, he did think that policy still more refined, that is to say, still worse.

Not forward to obtrude his advice, and feeling himself unauthorised to offer it, for he had not been more than twice at the Castle, the first time in duty, the second time in obedience, though then above two months in the kingdom, he stood forth a self-devoted victim to conciliate that which he did lament he had not the power to rectify, and in order to maintain a consistency in the State, he did in this House refuse his Vote of Thanks to the Volunteers of Ireland, because they were moved for in terms different from those in which Government had thanked them, though he did at the very moment sympathize with those valuable bodies of men in every virtuous feeling,
and

and condemn Government that it had not acknowledged their services on the terms in which they had been tendered.

He said he had thus not scrupled to oppose that of which he did not approve, for it must be confessed, his vote upon that occasion, so far as it respected Lord Carlisle and his administration, was in fair construction a vote of opposition, though not given in that intention.

He said, he stated this matter to their Lordships, because it was the only transaction throughout Lord Carlisle's administration, which he was not, at the shortest notice, ready to stand forth and maintain; and added, if he were as well informed of his Lordship's motives for that measure, as he was with respect to every other, he doubted not he would equally see the propriety of *them*. He said he dwelt by so much the more upon this transaction, because it was well known that the most unfair advantage had been taken of it, to endeavour, though vainly, to injure Lord Carlisle with those brave and loyal bodies of men, of whose
merits

merits he knew his Lordship had the highest sense, and to whom, he likewise knew, he had upon every occasion, done the highest justice.

He then said, to return, my Lords, what followed? An impudent volley of newspaper abuse against my private character, in order to decry my public conduct, in which the Freeman's Journal, the avowed paper of Government, took the lead. I say, my Lords, an impudent volley of abuse, because every circumstance in it was not only false, but false upon notoriety. He said that as he had not hitherto sought the confidence of Administration, he would not now have condescended to accept it: He would not have accepted the proudest office in the State; he should have thought he was compounding defamation. He therefore stood aloof with a watchful eye, and a determined mind; but a variety of combined circumstances soon convinced him that his doubts were, with respect to every property applying to Lord Carlisle and his Government, ill-grounded. He said the situation

tuation in which it had pleased the King to place him, having necessarily induced an intercourse between his Lordship and himself, his respect grew with his knowledge of the man; he was bold to think his Lordship's esteem kept equal pace, for he had ever found his Lordship's confidence increase with communication.

Such, my Lords, said he, is the state of our political accounts; a reciprocity of respect and regard, founded upon a reciprocity of fair and honourable conduct upon public points in our respective situations.

He said, having thus far acquitted himself to Lord Carlisle, he would now proceed to state some facts respecting the Right Honourable Gentleman who had acted under him, and in doing justice to the conduct of the latter, he would more clearly shew the principles of the former. He was well aware how critical the transaction was to which he was now alluding; he meant the part which Mr. Eden took on Monday se'nnight in the British House of Commons; but as that Gentleman, from a principle

principle of nice honour to those with whom he stood politically connected in this country, had not only exposed his fortune to defeat, but his character to misconception, he did hold every man unworthy of the name of a man of honour, who, feeling he has by his advice or influence conducted to that measure, does not this night, without calculating as to the consequences, stand forth and avow such share as he had in it.

He said he had already stated to their Lordships, that pretty early in the session, he had from his situation been called upon for support, to stand between Government and partial attacks upon the subject which is now before them. That he did express himself to Mr. Eden upon that occasion, in the same manner in which he had upon that subject expressed himself in every place to every man; he told him a constitutional explanation must take place, that the kingdom stood too strong upon the ground of right; too confident in her faculty of maintaining that right, to suffer it to re-

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main long in suspense; the object was too great, for the subject being once touched upon, she had her all at stake, the time was not yet come, the minds of men were not fully informed, they were not yet matured, that he would at this day stand between him and every peevish attempt; nay more, that he would find his administration supported by a decided majority; but that the day would come, when he, with every other man of character in this kingdom, would call upon government for a like return of their support and influence to regulate and carry into effect the just wishes of the nation, that such were the terms upon which his Excellency might count upon.

Lord Bellamont said, your Lordships may well remember some three months past, it was upon the subject of an Address to the King, I told you every man of candour must acknowledge much is already done, that I was not, however, one of those who did not think much yet remained to do; do you suppose I had not this in view? I appeal to every noble Lord who hears me,
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my noble friend the Earl*, has he not seen me unremittingly pursue this great object, whether in opposition, or whether with government? I ask my noble friend, whether I have not ever in this House reprobated the 6th of George the First? and every man who attempted to maintain it out of this House, for I do not recollect that any man was bold to attempt it within it; have I not for years said that disunion would follow, if something conclusive were not done?

He said, upon this principle, a considerable time previous to the recess of this House, I waited upon Mr. Eden, and told him, the period for an explanation is now arrived, the minds of men have already attained temper, the question will shortly obtain universality; you are to expect a declaration of right from every county in the kingdom, the co-existence of Great Britain

* Charlemont, who repeatedly cried out, hear him, hear him.

and Ireland depend upon the management of it.

Should Government oppose, you will find yourself left in a minority, as despicable in character, as mean in numbers. It will not be sufficient for Government not to oppose; it must not stand neuter; it must take the lead, and model the question. Should you be otherwise instructed, it will be incumbent upon the real friends of Government to do it at every hazard. I told him there are in this, as in every other country, men of desperate fortunes, of desperate principles: some few, I feared, of desperate ambition likewise. That every hostile power has their eyes open to avail themselves of the circumstance: that we are to guard against every thing that may at a future day lead to separation: that a declaration in the Abstract, would only leave the subject upon a more pointed footing of claim and disavowal; that somewhat more would be necessary, and that the occasion furnishes the means. That as Mr. Yelverton's Bill, which was then talked of, was

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to pave the way for a Declaration of Right, that Declaration of Right should be so modelled as to pave the way for an explanation; that is to say, for a repeal of the 6th of George the First; it should therefore be at once a claim and recognition.

He said, Mr. Eden replied, he saw the full force both of my doubts and wishes, and perfectly agreed in both. He likewise saw some difficulty in modelling the question, so as to meet them, but did not think it impracticable. He particularly mentioned the 33d of Henry the Eighth, which he since stated in the British House of Commons, and asked me whether I did not think it sufficiently strong to guard against my apprehensions? I told him I did believe it was, but not obviously so; that it might be proper to recite the part of that act, which he had in view. That tenacious as this kingdom is of its rights, it is of the last consequence that they should not mistake those rights. That misprision upon this ground would not fail to produce every fatal consequence of infringement. I told him I was sensible

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ble of the delicacy of the question ; that it required much consideration and arrangement ; that I had therefore suggested it to him thus early, in order to give him full time to discuss it to and fro with the Cabinet, and afterwards to model it here before it should be brought forward. He told me he would lay it before the Cabinet the first hour after the House of Commons should be adjourned, and requested I would return to town four days, at least, before the meeting of Parliament, adding, that he would write to me, if any thing should occur in the interval.

Such, my Lords, was our conference upon this subject : such was the period at which it was had : such was the settled system : there was not one single doubt as to the measure. The only question was, how to wind it up, so as to insure its permanent salutary object.

He desired to be understood ; he spoke it not at, but to the present Ministry : they would not doubt his veracity, they would give such weight as they thought fit to his judgment.

judgment. He lamented that an honourable Gentleman*, whom he saw here early in the evening, is not now present ; he was sure he would make a faithful report of what he had here stated. He said, will my noble friends, now accuse the measures and principles of Lord Carlisle's Administration, cut off in the midst of his career ; will they make him responsible for the non-completion of that which he had so meritoriously begun ? (or to follow up their own idea) will they not give him credit for that great work, of which the hand of fate in anticipating the course of nature alone prevented the performance ?

Much my Lords, has been said upon the subject of reform, and much too in another House, on a determined purpose of serving Government, without reward. I will only say, as to myself, the emoluments which I possess, I received from my Royal Master ; it is for him to judge when it may be fit for him to recall them ; as I received

* The Honourable Mr. Fitzpatrick.

them

them in duty, I will then resign them with gratitude, unabated in my zeal for his person or government, should I be included in an impartial general system of reduction. The circumstances of the country requiring it, I will applaud it! Nay, more, should my conduct this night be misunderstood, should I for it become a marked man, I will nevertheless serve his Administration, for as my services though rewarded with the liberality of a truly great Prince, were unbought, they will not be less persevering, should they become unpaid. In a word, the King's Ministers directing their measures to his interests, shall ever have my best support, for acting well by him and the public they must deserve well of me. I have a high respect for many of the present Ministers. I have borne testimony in this House to the conduct of many of them, with respect to this country when they were out of power; I spoke as freely of others, whom I did not then conceive to be its friends, though I knew their turn of power must one day come round. There

is one noble Lord of whom my noble friend the Earl has made mention, on whose subject I may not remain silent, I mean the Earl of Shelburne. It had been stated some two years since, that noble Earl had, in the British House, borne hard upon the loyalty of this kingdom; I did therefore, in this House, bear hard upon him. My noble friend has just told us, he has received undoubted information, which will shortly appear, that Lord Shelburne has, in a distinguished manner, warmly espoused our interests, and expressed the highest confidence in our loyalty, attachment, and adherence. If my noble friend's information be well grounded, my information, which I told you at the time had been taken from the public papers, must have been ill grounded; upon these terms, but upon these terms alone, I do not hesitate to acknowledge it, and upon these terms I have the highest pleasure in so doing.

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Monday,

SECOND DEBATE.

Monday, May 27, and Tuesday 28, 1782.

HIS Grace the Duke of Portland having retired, and the Chancellor having taken the woolfack, Lord Farnham, after a speech well adapted to the occasion, moved the House to come to the following resolution.

That an humble Address be presented to his Majesty to assure him of our most unfeigned attachment to his Royal Person and Government, and of our most grateful sense of his paternal care manifested in his immediate attention to the representations of his Majesty's subjects of this kingdom.

To express the lively sense we entertain of his Majesty's gracious intentions towards this kingdom, the wisdom and sound policy of his Majesty's councils, and the justice of the British legislature, in having concurred to remove the causes of the discontents and jealousies expressed in the late addresses presented to his Majesty, which measures, we assure his Majesty, have most effectually

effectually answered the purposes intended thereby, and gratified the utmost wishes of his Majesty's faithful subjects of this kingdom," &c, &c.

The resolution being read at the table, the Earl of Bellamont observed to the House, that in the cursory manner in which he had heard it, there appeared somewhat in it which essentially required amendment. He requested the Lord Chancellor would permit him to peruse it, in order to ascertain whether or no his apprehensions were well founded, and after a few minutes consideration he rose up and said—There is not a man in this House whose breast at this hour glows with more heartfelt satisfaction than my own. There is not a man in this kingdom who enjoys more heart-felt consciousness than myself, of having, according to my situation, and from my situation, substantially conducted to effectuate this great work. He said his settled attachment to the best of Kings was well understood. He need not there declare it. With respect to his Majesty's Ministers, every man

must acknowledge their conduct upon the occasion speaks for itself. He therefore did not rise to throw a damp upon their Lordships zeal, but to beseech them to qualify the expression of it. He said you are about to treat for a great people, with a great people, through the medium of our great and good respective Sovereign, through the medium of our joint Imperial Monarch. Let that idea be the standard of every word. Let that be the criterion of every sentence. Do not mistake your situation. You are not at this day at the conclusion of a treaty but at the commencement of a treaty. The preliminary article alone as yet is settled. Would you know how to proceed with his Majesty's Ministers? Follow their example. Act by them as they have acted by you, with manly sense, with manly principle, with manly precaution too. He said he considered the 6th of Geo. the 1st as already repealed; the 10th of Hen. the 7th as already modified; the Mutiny Bill as already limited. Would you know the extent of what you have

have obtained in the repeal of the 6th of Geo. the 1st, the sole object of my present consideration, you must take a view how far that act did extend. What did it contain? Two clauses only, the one alone in the most strained sense of the word, enacting, the other declaratory. The enacting clause extended only to the deprivation of your Lordships judicial capacity. The repeal of that clause can therefore only extend to restore this House to its appellat judicature. The clause which refers to the assumed legislative supremacy of Great Britain over Ireland, is a mere declaration of unlimited claim in the abstract. The unqualified repeal of that clause cannot do away the many British statutes affecting to bind Ireland, which were passed as well previous as subsequent to that act. Should those British statutes be suffered to remain, the survi-
 vance of them does of itself annul this repeal of the 6th of Geo. the 1st; to which, according to the resolution now before you, we limit all our claims. He did not mean to depreciate the merits of the present Ministers,

nisters, in the repeal of this act. He did not hesitate to say, they could not meet the subject with more fairness and fulness, they could not treat it with less insinuation. But as they have of necessity insinuated, we must of necessity explain. He said Mr. Fox has with his accustomed talents, shewn that general maxims are not always just; he has ably argued *ab abusu ad usum*; but in so doing whilst he has given up the exercise, nay more, whilst he has given up the claim too, for to be fair, he evidently means to do so, he has nevertheless seemed to assert the principle in point of original right.

He said his doubts do not arise from Mr. Fox, but from Mr. Fox's doubts. If there be any weight in his arguments it is to Mr. Fox he is indebted for them. Mr. Fox has said our grievances do not proceed from the superintending power heretofore claimed by the British Legislature over Ireland, but from the abuse which has been made of that power. I therefore say, that which has been may be; men may change, things may change, times and circumstances may change.

change. In order to prevent all possible return of the abuse, we must eradicate the principle. He said he trusted their Lordships would not charge him with glancing at the late Ministers. The abuses to which he alluded, apply to a century before they existed. He could with truth assert the late Ministers had ably worked this subject. He might add, they had been ably seconded in it by their friends. He did with equal truth and satisfaction, acknowledge the present Ministers are wisely winding up this subject, provided they be not defeated by the anticipating promptitude of their friends. He entreated those who are in the confidence of the present Ministers, not to do that by them, which the intemperate zeal of both Houses of Parliament had, in despite of his repeated entreaties, some two years since, done by their predecessors. He meant to say, that they should not expose them to the reproach that Ireland would have rejoiced at obtaining the one half of what they had granted her. He said it is a folly for us to flatter ourselves. The concession

cession however unanimously made by both Houses of Parliament in Great Britain, is more or less repugnant to British feelings. To what then, do you not expose our Sovereign and his Ministers, if by concluding the subject before it be complete, you leave it upon them to open it anew, in order to render it such?—It has been fairly told you, that Ireland has been called upon to state her grievances: That she cannot hereafter complain, should any wish be left unsatisfied;—you are therefore responsible to the people of Ireland, that you do not stop short of entire redress.—Once more, this address is not intended to be a treaty, but the foundation of a treaty. If you render it a treaty, you silence yourselves, whilst your grievances are still in force. You close the subject of claim before your requisitions are complied with, leaving it in the power of the British Parliament to force the British Ministry to take you at your word. He said he does entirely agree with Mr. Fox, this great subject must terminate in a solemn and explicit treaty

too; explicit upon the part of the one and the other country, though he must for ever differ from him, should he persist (which he trusts he will not) in the idea of treating by Commissioners.

Lord Bellamont said, I will not narrow my ground, I will wind up the treaty upon that broad constitutional bottomry, upon which I claim the faculty of treating. He said he must again differ from Mr. Fox, though with regret, for he sees he means us fairly, but he must differ from him in his distinction of internal and external legislation; our proposition claims to emancipate Ireland from every act of British legislation, as well external as internal. Should we be contented with seeing ourselves internally free but externally bound, our liberty as to things is local not real; our liberty as to persons local not personal. He asked the House, do you mean that every civil contest touching Irish property upon the High Seas, shall continue liable to be decided upon by the High Court of Admiralty? Do you mean that in criminal cases com-

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mitted in foreign countries; for instance, that of murder, Irish subjects shall continue liable to be tried at the Old Bailey? If you do not, Great Britain must unequivocally renounce every right to bind Ireland in her legislative capacity, as well externally as internally: She must one by one, repeal every British statute, that militates against that principle, leaving it to you to enact such as the interest of Ireland demands should be restored, or she must in such terms as most accord to her dignity, so qualify the repeal of the 6th of George the First, as at once to relinquish, not only the exercise and the claim, but the right.—Whereas this resolution now before you, as it stands penned, goes to say you have already obtained your utmost wishes, by the *unqualified repeal* of that act. He said Lord Shelburne's definition, as he conceives it, does in every point apply. His distinction is that of regal and imperial. If he justly conceives his Lordship, he says that the Kingdom of Ireland shall henceforward be considered both internally and externally independent

independent of the British Legislature, but politically included in, and concluded by the British State treating with foreign nations through the medium, and under the authority of the executive power of the Crown for Ireland conjointly with herself, and upon the same terms as for herself. If such be his Lordship's intentions, as he does conceive it is, his Lordship and he are for ever agreed upon the point; if not, they are wide asunder. But there is not a doubt upon his mind that they are agreed; what then remained, was only to qualify the resolution before their Lordships, so as to reach that definition.

Lord Bellamont then recommended to the House, that the following words, **AND WHEN ACCOMPLISHED WILL GRATIFY**, should be inserted at the latter end of the second paragraph; to which the House having unanimously agreed, the second paragraph of the address was accordingly as follows:

‘ To express the lively sense we entertain
 ‘ of his Majesty's gracious intentions to-

‘ wards this kingdom, the wisdom and
 ‘ sound policy of his Majesty’s coun-
 ‘ cils, and the justice of the British legis-
 ‘ lature, in having concurred to remove
 ‘ the causes of the discontents and jealousies
 ‘ expressed in the late addresses presented
 ‘ to his Majesty, which measures, we as-
 ‘ sure his Majesty, have most effectually
 ‘ answered the purposes intended thereby,
 ‘ **AND* WHEN ACCOMPLISHED**
 ‘ **WILL GRATIFY** the utmost wishes of
 ‘ his Majesty’s faithful subjects of this
 ‘ kingdom.’

* The Publick is referred to the London Gazette of
 Saturday, June 8, 1782, for the Address at large.

LORD

Friday, July 26, 1782.

LORD BELLAMONT reminded the House, that he had on the 18th inst. opposed the following resolution, which he was now going to bring once more before them, viz. “ That this House having the
 “ fullest confidence in the answer delivered
 “ by the Lord Lieutenant, to their address to his Majesty of the 7th of April
 “ last, cannot entertain a doubt but that
 “ the independence of the legislature of
 “ this kingdom, both as to internal and
 “ external objects, will be inviolably maintained.” He reminded the House, that he had on the 22d inst. opposed the printing of that resolution, apprizing their Lordships of his intention to make a motion to rescind it; and hoped they would accept this apology for giving them this second trouble. He then moved, that the Clerk be ordered to read at the table the following papers, viz. His Majesty’s most gracious message to the House of the 16th of April. The address of that House of the
 17th

17th of April in answer thereto. His Majesty's most gracious answer to that address. His Excellency the Lord Lieutenant's speech from the throne on the 27th of May. The address of that House to his Majesty of the 28th of May, in answer to his Excellency's speech from the throne. The resolution of that House on the 18th of July inst. (which was the subject now before them.) The address of that House to his Grace the Lord Lieutenant the 24th inst. And his Grace's answer communicated to the House the 25th inst. to which his Lordship added the resolutions of both Houses of the British Parliament of the 17th of May, respecting the affairs of Ireland. His Lordship then rose up and said, to call upon a House tenacious of its act to relinquish its act: to call upon a nation tenacious of its error to relinquish its error; is, it must be acknowledged, an arduous undertaking. He therefore entreated they would consider him a self-devoted man combating a host, but actuated by the affection he bore to those whom

whom he opposed ; for as he should, from his peculiar situation, be the worst of men if his object were to keep the minds of men disturbed, he should from his situation in every sense of the word, be the maddest of men, if his object were not what it was, to prevent desperate disappointment and fatal disturbance at a future day. He again reminded their Lordships, that sudden as the resolution had been with respect to himself when proposed, it had instantly appeared to him big with objection, and said the more he had reflected upon the subject, the more he had searched it in every tendency and consequence, the more he stood convinced, that not only the well-being, but the very being of this kingdom and her constitution were at stake ; that it did not continue recorded upon their journals (as it there stood) without qualification ; for it unhinged every principle, and set afloat every right, by attempting to establish extension upon the sandy basis of construction ; a system which, on the part of the stronger power, would cry out oppression ;

pression; a system which, on the part of the weaker power, teemed with madness and folly. He called upon the noble and learned Lord upon the woolfack, upon every noble Lord then present, upon every authority modern and antient, legal and political, to point out to him if they could, upon what principle of legal or fœderative right; upon what ground of legal or fœderative letter their Lordships thus claim, that our Imperial Monarch shall maintain to Ireland *that*, which if it were not hers of original right, was not in the King to give, (the contest not being with the Crown, but with the Parliament of Great Britain) and which, although it were hers of undoubted original right, there does nevertheless at this day stand out against it an unrelinquished claim on the part of Great Britain, followed by the exercise of the power. He said, do you fortify yourselves upon the repeal of the 6th of George the 1st, as a renunciation *in toto*. My answer is, that the founder of that construction does admit, that in order to render it such, you must take into the account the circumstances

stances that accompanied that repeal; and therefore, even supposing the circumstances do favour that construction, he must admit it amounts only to a circumstantial; that is to say, to a constructive renunciation at the most. But if I prove to a demonstration, that every one of those concomitant circumstances, so far from favouring, refutes every property of that construction, then you must acknowledge that we are not founded to call upon the King to maintain to Ireland that as a renunciation *in toto*; which it will be then evident Great Britain has not given to her as such. What is the language of Great Britain? To you in her first resolution, she says, “ the 6th of Geo. “ the first ought to be repealed.” In point of letter she confines herself to the simple repeal. In point of time she confines herself to the present moment. On the subject of claim and right, she is totally silent. Having enjoyed the exercise for ages before that declaratory act did exist; may she not revive it at will, founding her claim upon the same principle upon which she had, previous to the existence of that act, enjoy-

ed the exercise ? What does she tell you in her second resolution ? She tells you “ that “ it is indispensable to the interests and “ happiness of both kingdoms, that the “ connexion between them should be established by mutual consent, upon a solid “ and permanent basis ;” and then in order to convince you of her sincerity ; she in her third resolution of the same day, instantly orders that “ Leave be given to bring in “ a bill for repealing that act,” thereby removing the barrier that stood in the way. Had she meant the repeal of the 6th of Geo. the 1st, as a renunciation *in toto* ; would she have been thus reserved in point of letter, thus circumscribed in point of time, thus silent upon the subject of claim and right ? Nay more, had she considered the unqualified repeal of that act in itself alone sufficient to the end proposed ; would she not have set out with her second resolution, viz. “ That it is indispensable to “ the interests and happiness of both kingdoms, that the connexion between them “ should be established by mutual consent “ upon a solid and permanent basis ;” and

thus have coupled the resolution for the repeal of the act, with the order for repealing it, instead of separating the one from the other by the intervention of the second resolution, thereby telling you that she meant the repeal of the act as a preliminary step only, to the end proposed? Such is the language she holds to Ireland, and thus far at least the circumstances do not favour the construction which it is attempted to put upon them. But what is the language she holds to the Sovereign? After having in her first resolution declared that the 6th of Geo. the 1st ought to be repealed: after having in her second resolution declared, that it is indispensable to the interests and happiness of both kingdoms, that the connexion between them should be established by MUTUAL CONSENT, upon a solid and permanent basis; after having in her third resolution actually set about to fulfil her first resolution, by proceeding to the repeal of the 6th of Geo. the 1st, she does in her fourth resolution, by an Address of both Houses to the King, pray his Majesty “ will take such measures as his Ma-

“ jesty in his royal wisdom shall think most
 “ conducive to the establishing, by mutual
 “ consent, the connexion between that
 “ kingdom and the kingdom of Ireland,
 “ upon a solid and permanent basis.”

I ask you what measures? Your address of the 17th of April contains three specific measures only as preliminary, although it went far beyond them in point of security, though not in point of extent, viz. the repeal of the 6th of Geo. the 1st, the Modification of Poyning's Law, and the Limitation of the Mutiny Act. You cannot suppose Great Britain had in view the Law of Poyning's or the Mutiny Act. They are Irish acts upon matters of Irish concern only, between the King and his Parliament of Ireland. To pray his Majesty to take measures as to them, would be to insult the King by assuming an interference at the very moment she means respect. It would be to insult Ireland by assuming a claim at the very moment she speaks dereliction. You cannot suppose she had in view the repeal of the 6th of Geo. 1st; that was already virtually done at the instance of his Majesty's

jesty's respective ministers in the respective
 Houses of Parliament, as I have already stat-
 ed. To pray the King to take such mea-
 sures as he should think fit, to do that,
 which she had at his Majesty's recommen-
 dation already done, would be too ridicul-
 ous—My conclusion therefore is, that as
 the British Parliament in her request to the
 King could not have in view the modifica-
 tion of Poyning's Law, nor the repeal of
 the Mutiny Act, which had not then taken
 place, as she could not have in view the re-
 peel of the 6th of Geo. the 1st, which vir-
 tually speaking, had taken place, she must
 have had in view some further measures
 which she had wisdom to see, and candor
 to acknowledge, were not only implied, but
 clearly expressed in our address of the 17th
 of April, although not specified as to the
 mode, as indeed would have been highly
 indecent, if they had; for specifically to
 point out to Great Britain in the first in-
 stance, the exact mode as to every article,
 would not have been to claim and to assert
 on the part of Ireland, but to dictate.

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He asked their Lordships what is the language of the King in his answer to your address of the 17th of April, and in his Grace the Lord Lieutenant's speech from the Throne on the 27th of May? In his mediating capacity he tells you that he has recommended a final adjustment to the mutual satisfaction of both kingdoms, that in that view he intends forthwith to communicate to the Lords and Commons of Great Britain the addresses of the Lords and Commons of Ireland; he then further tells you he has ordered the resolutions of the British Parliament in consequence thereof to be laid before you. In his executive capacity he expresses his royal disposition to ratify such terms as may be agreed upon between both kingdoms, clearly drawing a line between those specific measures, which refer to the Crown and Parliament of Ireland, and the unspecified measures which refer to the respective Parliaments of Great Britain and Ireland. The very terms on which Mr. Fox moved for the address to the King in the British House of Commons, preclude every claim to any other engagement,

engagement on the part of the Crown if any other could be supposed ; having premised that the further measures he had in contemplation were “ to set on foot a treaty by commissioners or otherwise,” leaving the adjustment of the terms to the parties treating, the ratification alone to the King ; at the same time declaring in the necessity of a treaty that the subject was not concluded by the repeal of the 6th of Geo. 1st. His Lordship said, having thus shewn them such was the sense of the British Parliament, and such the sense of the British government, that the subject was not concluded, he would now shew their Lordships, from the address of this House of the 27th of May, in answer to his Grace the Lord Lieutenant’s speech from the throne, that such was their sense likewise. Wherefore else, he said, did you insert those words in your address ? viz. *And when accomplished will gratify* our utmost wishes :” Were those significant words inserted with no intent ? Was it for no purpose that the address of this House to the King was suffered to be recorded upon
your

your Journals, differing in so essential a point from the original resolution which had been moved for the address? Was it for no purpose that the address of this House was upon the report suffered to pass, so essentially differing from that of the House of Commons? But I forget; the honour of the noble Lord who moved the resolution for the address, and the honour of the House were pledged to me that those words should make part of the Address. I am, however, free to ask, did any noble Lord request of me who was in possession of those words, as having proposed them; did any noble Lord request of the noble Viscount who was then in possession of those words, as having adopted them, that either should relinquish them, in order to keep up a consonance between the Address of this House and that of the House of Commons? No, no! You all know no such request was made. You cannot pretend so essential a difference upon so decisive an occasion was (without any attempt to remove it) left existing upon your Journals for no purpose. You cannot pretend

tend to say that those words alluded to the repeal of the 6th of Geo. the 1st; that would be to call in question the good faith of the British Parliament, the repeal of that act having been already proceeded upon the 17th of May, as I have already repeatedly stated. You cannot say those words alluded to the modification of Poyning's Law, or to the repeal of the Mutiny Act. That would be to call in question the good faith not only of his Grace the Lord Lieutenant, but of our most gracious Sovereign; for what was that Address? It was an Address in answer to his Excellency's speech from the throne, in which he on the part of his Majesty, particularly recommends the one and the other of those objects in compliance with the Address of this House to the King on the 17th of April. To suspend our satisfaction until those things were accomplished which we had specifically asked, and which the King had specifically granted, would have been as insulting and absurd on the part of Ireland as I have already shewn, (though upon a different principle).

ciple) any allusion to those acts would have been on the part of Great Britain. The object of those significant words was this, That although you justly considered those matters which you had specifically pointed out as already performed, your utmost wishes would be gratified when and not until every other matter contained in your Address of the 17th of April should be accomplished. I appeal to the House, did I not premise that it was upon that principle and in that sense, that I suggested those significant words, saying that I considered the 6th of George 1st already repealed, the Law of Poyning's already modified, the Mutiny Act already limited.

I appeal to the House, was it not upon that principle and in that sense that the noble Viscount who had moved for the resolution for the Address, and the House itself had agreed to that idea and adopted it in our address. Do I want a further voucher? I appeal to that further resolution which is the subject of this day's debate, as it was originally introduced before it
was

was amended. It runs thus, viz. " That
 " this House having the fullest confidence
 " in the answer delivered by the Lord
 " Lieutenant to their Address to his Ma-
 " jesty of the 17th of April last, cannot
 " entertain a doubt but that the indepen-
 " dence of the legislature of this kingdom,
 " both as to internal and external objects,
 " will be inviolably *established and main-*
 " *tained.*" Do not those emphatical words
 " *will be established,*" flash conviction? The
 noble Lord who moved this resolution in-
 serted those words in order to accord to the
 manifest sense of the British Parliament, to
 the manifest sense of the British and Irish
 government, and to the manifest sense of the
 Irish House of Lords. Is it to be supposed
 that noble Lord in the very act of defining
 and asserting the rights of Ireland could thus
 have invalidated her claims by thus admit-
 ting they are *not yet established*, if he had
 not known and had not meant to say that
 somewhat more must yet be done to esta-
 blish her rights to effect? So long as you
 do not consider your claims fully establish-

ed, so long as you acknowledge they require explanation, to tell your Sovereign, you do not doubt of the completion of them was at once a respectful assertion of your claim, and a respectful expression of your just confidence; but the moment those words "*will be established*" are struck out, how does it stand then? It instantly becomes the expression of your just distrust, founded on a just consciousness of your own ignoble attempt to abuse the magnanimity of your Sovereign by surprising him into an engagement to maintain to you that, which you have not yet obtained, though Great Britain evidently means to satisfy you in every just wish, provided you seek it like men, with candor, consistency and principle, but which you can never obtain through surprize, extension, or construction.

Do you demand a yet further document? I have it in the answer of the Duke of Portland to your Address of yesterday, of which this resolution makes a part. What are his Grace's words? "I was ever persuaded that
 " your

“ your claims to a participation of free-
 “ dom with England were at once found-
 “ ed in justice, and merited by your cha-
 “ racter and the spirit you displayed.”
 Thus far he speaks from himself. But
 what are his words to you? “ It must
 “ therefore afford me the most solid plea-
 “ sure to learn, that you consider those
 “ claims as now finally established, and
 “ those great objects as permanently se-
 “ cured.” Is this the genuine language
 of the Duke of Portland speaking to inge-
 nuous men? I have not had much commu-
 nication with his Grace, but I am bold to
 say it is not. The voice of mankind bears
 testimony to the contrary from his earliest
 youth. Does he tell you, that your claims
 are now finally established, that those great
 objects he had previously recited are per-
 manently secured. No such thing. He
 sends you back in every line to your own
 construction, justly retorting responsibility
 upon yourselves. It is a fair answer (I had
 well nigh said) to a foul attempt. Had
 he given you a direct answer, he had vio-
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lated truth to you, and fidelity not only to his Royal Master, but likewise to Great Britain, to whom he is likewise responsible, that he do not pledge our Monarch to maintain *that* to Ireland, which she has not as yet relinquished to her. How different his language in his speech from the throne on the 27th of May! But he was then speaking to men, who had spoken the language of men, and not to men who now collude with those who have colluded against themselves, dazzled by the false lustre of an unauthentic individual, who paraded favouritism for unanimity. In fine, he said, upon what principle do you flatter yourselves thus to establish your claim? Is it upon that of surprize or upon that of force? If surprize, I do not think you will surprize the minister. His enemies do not call in question his abilities; they rather endeavour to represent them formidable. Is it upon force that you presume? I do not think you will force the Minister. God knows, I say it not to pay my court. My mind is long since made up as to every event.

event. My conduct shews it is. But to be just to you, I say, the man who has the fortitude in these abandoned days to hold the *equal* language I heard the Minister, within these last three weeks, speak out in Parliament, sets out well. He challenges support, and by adhering will not fail to find it, from every man of every party actuated by sound principles, directed by a sound understanding. I speak not to the Minister, but to mankind. I know not who may be Minister, for ere the Minister can establish himself, he must establish permanency upon the solid basis of mutual explanation, which, however essential to the constitutional security of Ireland, is not less essential to the political stability of Great-Britain and the British empire. But this I will say to the Minister; if he do extend to every adjunct the salutary system which he has announced to the seat of empire, he will regain to the seat of empire every adjunct that is not tainted beyond redemption, and rivet to her the affections of any that yet may doubt. Once
more

more do not count upon force, mankind aspires to consolidation. They have reaped the harvest of years in the experience of months. The baneful doctrine, "that the wishes of the people are in every thing to be complied with," has opened their eyes; they have escaped well, and well they know it; they will not henceforward make light of Government. As to myself, whatever be the fate of the motion I am going to make, I have done my duty. My original idea was to move your Lordships to rescind the resolution. It has since obtained the press. It is since made part of the address of this House. Were I to persist in that intention, I should doubt my own good sense, my temper or sincerity. It is the part of an upright statesman to accommodate himself to the times, without accommodating his principles, and so shall I. I will not be tenacious of my own idea, when it no longer applies. I would that others had shewn the like example of moderation! The motion I shall make you is, for an
address

address to the King, in which, as nearly as I may, I meet you on your own ground, if I can so call the resolution as it stands before you. If any man objects to it, let him but answer argument, and I will listen with respect. If he appeals to the passions of men, I cannot meet him there. My appeal is to their understanding. But if you give a silent negative, I shall conclude that fascination, which in another House has kept the minds and faculties of men locked up I know not how nor wherefore, has found its way into this House. I have purposely taken up the argument in this point of view, because it is the only one in which the *slimsy construction*, upon which you found your resolution, has not been torn to pieces over and over again within doors; seen through and scouted by mankind without. One word upon the subject of internal and external legislation. I was the first man in this House; I was one of the first men in the kingdom (for I know not in which House the debate first began) who thus defined and maintained

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the extent of your claims, in answer to Mr. Fox, then in the zenith of power; for though I find your claim of external legislation expressed in every line of your address of the 17th of April, in which it does carry with it in every line its own qualification; I do not find your claims specifically so defined, there or elsewhere, saving in debate. My speech (as it is called) of the 27th of May, speaks for itself. Take it as you will, construe each part by the whole, or the whole by each part, you will find my principles consistent with themselves, my conduct this day consistent with them. The principle upon which this resolution attempts to found your claim overturns your constitution. The terms upon which it aspires to establish your claim overturn the empire. With you, my noble Lords, it this day rests to confirm every right, to realize every claim. Do you keep the subject open to explanation, *every thing is all but gained*. Do you thus close it whilst no-
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thing is in fact concluded, *every thing is more than lost.*

His Lordship then moved the following Address.

Resolved, " That an humble Address be presented to his Majesty, to express our unalterable duty, fidelity and attachment to his Majesty's Royal Person and Government, under whose auspicious reign and patronage our blessings increase with our years."

" To assure his Majesty, that the paternal tenderness with which he has fostered our constitutional birth-rights, the princely magnanimity with which he has put us into the full possession of them; as they stand unequalled, will continue a bright example until time shall be no more."

" To assure his Majesty, that whilst we boast with pride that his Majesty was supported in the ONE by the spirit, firmness, and conduct of the Irish Nation, we acknowledge with brotherly regard, that his Majesty has been effectually seconded in the OTHER by the rectitude and justice of
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Great Britain. Upon this principle, justly considering the Repeal of the 6th of George the First, combined with the respective Resolutions of both Houses of the British Parliament, and their respective Addresses to his Majesty upon that occasion, a renunciation *in toto* of every claim as well of external as internal legislation on the part of Great Britain; we have from a delicacy from which as it is our duty so it is our inclination never to depart; forbore humbly to suggest to his Majesty any further proceedings (if any there be further necessary *) in order to guard against the delapi-

* It may not be improper to observe to those who are not accustomed to Parliamentary Proceedings, that as the object of this Address was to keep the subject open to farther explanation, the last paragraph but one is so framed, that it must attain that object, whether the Address should be agreed to or rejected. Should the Address be agreed to, in admitting doubts as to the sufficiency of the Repeal of the 6th of George the First, as a renunciation *in toto*, it impliedly called for farther explanation. Should the Address be rejected, by negating the construction upon which the Resolution pointed at was founded, the House did *ipso facto* virtually rescind that Resolution, and thereby restore the subject to the same ground upon which the alteration in the Address of the 27th of May, proposed by Lord Bellamont, and unanimously adopted by the House, had placed it.

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dations of time, and the inroads of construction in ages yet to come, being founded in the full consciousness that as Great Britain has by that renunciation met and gratified the utmost extent of our wishes, she has thereby in no degree exceeded the extent of our fundamental rights as expressed in the Addresses of both Houses of Parliament of the 17th of April."

" To assure his Majesty of our perfect security, that in this as in every other instance, we shall be faithfully represented to his Majesty by a Chief Governor who has been in every instance a faithful Representative of the best of Kings, and finally to intreat his Majesty will of his Royal Goodness be graciously pleased to consider this our humble Address as an additional proof, that the same spirit which induced us to assert our right to share the freedom of Great Britain, has confirmed us in a determination to share her fate also, standing and falling with the British Nation, which we humbly conceive we cannot more fully evince than by shewing that we are equally
solicitous

solicitous to transmit and preserve those our birth-rights to our posterity upon a permanent basis, as we have shewn ourselves constitutionally jealous to assert and careful to establish them to ourselves upon a broad foundation."

THE END.



